

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**BEFORE THE COURT** are Plaintiff's Motions for Reconsideration, filed on May 8, 2013 and May 24, 2013. ECF No. 111, 114. Plaintiff is proceeding *pro se*; Assistant Attorney General for the State of Washington Brian J. Considine represents Defendants. The parties have not consented to proceed before a magistrate judge.

The two Motions, filed about two weeks apart, request reconsideration of the court's rulings on April 18, 2013. ECF No. 108, 109. In addition, Plaintiff appears to request a continuation of the hearing and oral argument. ECF No. 111 at 5.

Reconsideration is an extraordinary remedy. *Carroll v. Nakatani*, 342 F.3d 934, 945 (9<sup>th</sup> Cir. 2003). The following grounds justify reconsideration: "an intervening change in the controlling law"; newly discovered evidence; and the need to correct clear error. *389 Orange St. Partners v. Arnold*, 179 F.3d 656, 667 (9<sup>th</sup> Cir. 1999). Plaintiff's factual allegations fail to meet this standard. Although Plaintiff asserts "clear error," he fails to present facts

1 or law to support his position the rulings are clearly erroneous.  
2 Accordingly, **IT IS ORDERED** Plaintiff's Motions for Reconsideration,  
3 **ECF No. 111, 114**, are **DENIED**.

4 Regarding Plaintiff's request for a continuation of the hearing  
5 date, the court notes hearing on summary judgment was set originally  
6 for January 18, 2013, and has been continued numerous times at  
7 Plaintiff's request. In its last Order, the court advised the  
8 parties that no further continuances will be granted. ECF No. 109.  
9 Plaintiff has had ample time to obtain additional evidence in  
10 support of his motion for summary judgment. Further delay of these  
11 proceedings is not warranted. Plaintiff's request for a  
12 continuation of the hearing is **DENIED**.

13 Regarding oral argument at the summary judgment hearing,  
14 Plaintiff has filed a supporting memorandum and statement of facts  
15 with exhibits which set forth in detail his arguments. ECF No. 83,  
16 84. Oral testimony from witnesses is not necessary in these  
17 proceedings. Plaintiff's request for oral argument is **DENIED**. LR  
18 7.1(h)(3)(B), Local Rules for the Eastern District of Washington.

19 **IT IS SO ORDERED.** The District Court Executive is directed to  
20 file this Order, provide a copy to Plaintiff and counsel for  
21 Defendants.

22 DATED June 27, 2013.

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S/ CYNTHIA IMBROGNO  
UNITED STATES MAGISTRATE JUDGE

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